IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.362 OF 2003

IN

SUMMARY SUIT NO.642 OF 2003

Jaywant Vishnu Mahadik ...Plaintiff

vs.

Sau.Suhasini Suryakant Shinde ...Defendant.

Mr.J.K.Jadhav, for Plaintiff.

Mr.M.A.Khan, for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 8th June, 2006.

P.C.:-

1. The plaintiff has filed the suit for recovery of the amount which according to the plaintiff was paid to the defendant by a cheque. In view of the judgment of this Court in the case "M/s.Purnima Jaitly V. Ravi Bansi Jaisingh, AIR 2003 Bombay 494", a summary suit is not maintainable. Summons for judgment is therefore, disposed of. The defendant is granted leave to defend the suit. Written statement to be filed within a period of six weeks from today. Suit be transferred to commercial cause list.

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